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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,287	02/17/2004	Paul C. Nasvik	M915.12-0001	7083
164 7590 03/26/2008 KINNEY & LANGE, P.A. THE KINNEY & LANGE BUILDING 312 SOUTH THIRD STREET MINNEAPOLIS, MN 55415-1002				
EXAMINER				
FIGUEROA, ADRIANA				
ART UNIT		PAPER NUMBER		
3633				
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03/26/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/780,287

Applicant(s)

NASVIK, PAUL C.

Examiner

Adriana Figueroa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 5-19, 22-26, 29-34 is/are pending in the application.
- 4a) Of the above claim(s) 6, 8 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5, 7, 9-19, 22-25 and 29-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 7, 9, 10, 12,13, 15, 17, 18, 22-25, 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646) in view of Piazza (US 4,229,497) and further in view of Sherry (US 5,787,666).

Regarding claims 1, 7, 9, 10, 12,13, 15, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. discloses a formed wall portion (14) (Col. 3, Lines 67-68).

The examiner notes that the wall portion is an apparatus comprising a front surface having a pattern of simulated stone regions (24), wherein the pattern of stone regions comprise stone regions resembling cut stones (Col. 2, Lines 16-18), and coloring on the stone regions (Col. 5, Lines 64-68, Col. 6, Line 1). Said wall portion further comprise simulated mortar regions (C, see attachment to previous office action), a back mounting surface (26), a side interconnection region (48 & 50), a first side (A) adjacent the side interconnection region, a second side (B) adjacent the side interconnection region (48 & 50), and a top and bottom tab region, wherein the length of the top and bottom tab is about one quarter of an inch less than the combined length of the first side and second sides adjacent the side interconnection region (Fig. 3).

Nasvik does not disclose the concrete veneer panel being formed of fiber reinforced concrete and the panel having a thickness of about one half inch to about three quarters of an inch and a size of about two feet by about six feet.

However, Piazza teaches fiber reinforcement incorporated into a cementitious material (Col. 4, Lines 60-64). Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Piazza's reinforcement, to develop a light and durable panel.

Sherry teaches a panel ranging in thickness from 1 to 2 inches and a size of two feet by four feet (Col. 6, Lines 2-4). The examiner notes that 1 inch is considered about three quarters of an inch. The examiner also notes that although two feet by four feet is not equal to two feet by six feet, it is obvious that a panel can have various scales of the same design. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Sherry's thickness and size in order to create a thin panel to a desired scaled size.

Regarding claims 17, 18, 22, 23, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. teaches a first wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions extending around a perimeter of the front surface of the first concrete veneer panel (C), a second wall portion comprising a front surface having a pattern of simulated stone regions, with simulated mortar regions extending around a perimeter of the front surface of the first

concrete veneer panel; wherein the pattern of simulated stone regions on the first panel is different from the pattern of simulated stone regions on the second panel; and wherein the two panels have an identical shape comprising two side interconnecting regions which allow the first and second panels to interconnect horizontally; and wherein the first side (A) is adjacent the side interconnection region (48 & 50), a second side (B) is adjacent the side interconnection region (48 & 50), and comprise a top and bottom tab region; and wherein the first and second panel interconnect horizontally by rotating the second panel 180 degrees relative to the first panel; and wherein the length of the top and bottom tab is about one quarter of an inch less than the combined length of the first side and second sides adjacent the side interconnection region.

Nasvik et al. does not teach the concrete veneer panels having a non-linear top and bottom surfaces, being formed of fiber reinforced concrete or having a thickness of about one half to about three quarters of an inch.

However, Piazza teaches fiber reinforcement incorporated into a cementitious material (Col. 4, Lines 60-64). Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Piazza's reinforcement, to develop a light and durable panel.

Sherry teaches a panel with non-linear top and bottom surfaces (Fig. 2) and a panel ranging in thickness from 1 to 2 inches (Col. 6, Lines 2-3). The examiner notes that 1 inch is considered about three quarters of an inch. Therefore, it would have been

obvious to one having ordinary skill in the art, at the time the invention was made to modify Nasvik's wall portion with the teachings of Sherry's non-linear top and bottom surfaces and thickness in order to further disguise the pattern of joints between panels and to create a thin panel.

Regarding claims 24, 25 and 29, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. modified by Piazza and Sherry discloses as set forth in the rejection of claims 17, 18, 22 and 23 above. Nasvik discloses a plurality of panels connected horizontally creating a panel system and when connected vertically would create a panel system having the panels in the first row offset from the panels in the second row, (Fig. 5).

Regarding claims 30-32, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. teaches a wall portion that that has at least two different patterns of simulated stones, wherein the two panel with different patterns have an identical shape configured to allow a plurality of panels to interconnect horizontally and vertically; and wherein the panels have a fastening means, comprising sheet rock screws, for attaching to a wall surface (Fig. 7); and wherein the wall portions comprise a colorant (Col. 5, Lines 64-68) for coloring the simulated stones to make the simulated stone appear more realistic.

Nasvik et al. does not teach a concrete veneer panel made of fiber reinforced concrete having a thickness of between about one half inch to about three quarters of an inch and caulk for caulking a location.

However, Piazza teaches fiber reinforcement incorporated into a cementitious material (Col. 4, Lines 60-64). Therefore, it would have been obvious to one having

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ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Piazza's reinforcement, to develop a light and durable panel.

Sherry teaches a panel ranging in thickness from 1 to 2 inches (Col. 6, Lines 2-3) and filling in the spaces between adjoining panels with an appropriate jointing compound (caulk) (Col. 4, Lines 42-47). The examiner notes that 1 inch is considered about three quarters of an inch. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify Nasvik's wall portion with the teachings of Sherry's thickness and jointing compound in order to create a thin panel and to mask the area created when a plurality of panels are adjoining in a system of panels.

2. Claims 4, 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Piazza (US 4,229,497), Sherry (US 5,787,666) and further in view of Keller (4,275,540). Nasvik et al. modified by Piazza and Sherry discloses as discussed in claims 1, 13 and 17 but does not disclose the panel being multi-sided and having mirror symmetry about a center axis. However, Keller teaches a wall section with mirror symmetry (Fig.1). Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified the wall portion of Nasvik, Piazza and Sherry with the teachings of Keller's in order to create a uniform panel.

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3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Piazza (US 4,229,497), Sherry (US 5,787,666), Keller (4,275,540) and further in view of Neumann (US, 4,299,069). Nasvik et al. modified by Piazza, Sherry and Keller discloses as discussed in claim 4, but does not disclose the panel having twenty sides. However, Neumann teaches a panel comprising twenty sides (Fig.1). Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified the wall portion of Nasvik Piazza, Sherry and Keller with the teachings of Neumann's panel to create a uniform multi-sided panel.

4. Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646) in view of Piazza (US 4,229,497), Sherry (US 5,787,666) and further in view of Horstketter et al. (6,449,914). Nasvik et al. modified by Piazza and Sherry discloses as discussed in claims 1 and 13, but does not disclose an integrated cast-in threaded inserts for connecting the concrete veneer panel to a wall surface. However, Horstketter et al. teaches an embedded threaded insert (Col.11, Lines 34-36). Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified the wall portion of Nasvik et al, Piazza and Sherry with the teachings of Horstketter's embedded threaded insert, to create a panel that when attached to a mounting surface, the panel is flush with that mounting surface.

5. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646) in view of Piazza (US 4,229,497), Sherry (US 5,787,666) and further in view of Armstrong (US 4,656,722). Nasvik et al. modified by Piazza and Sherry discloses as discussed in claims 1 and 13, but does not disclose the panel having the back mounting surface contoured. However, Armstrong teaches a wall panel having a contoured mounting surface (Figures 6, 7). Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified the wall panel of et al, Piazza and Sherry with the teachings of Armstrong in order to provide a stronger connection between the back surface and the support surface.

Response to Arguments

6. Applicant's arguments filed 10/23/2007 have been fully considered but they are not persuasive.
7. In response to applicant's argument regarding the intended use of applicant's invention and the intended use of the prior art. Examiner notes that a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In the instant case, the concrete veneer panel of Nasvik meets the claim language.

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8. in response to applicant's argument that there is no suggestion to combine the references of Nasvik, Piazza and Sherry, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Nasvik was used for its teaching of a concrete veneer panel having a front surface simulating stone and interconnecting regions. Piazza was used for its teaching of having fiber reinforcement incorporated into a cementitious material. Sherry was used for its teaching of a panel having a thickness ranging from 1 to 2 inches wherein 1" is about 3/4". If Applicant disagrees with this, the Examiner notes that it would have been an obvious design choice to one having ordinary skill in the art at the time of the invention was made to have the panels of any desired thickness.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Davis (US 4,522,002), Medow (US 3,621,625) teach wall panels having a contoured back surface.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adriana Figueroa whose telephone number is 571-272-8281. The examiner can normally be reached on Monday-Friday 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. F./

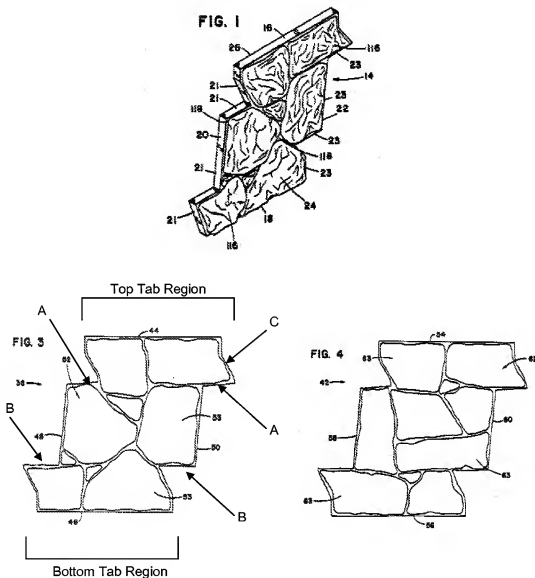
Examiner, Art Unit 3633

03/14/2008

/Brian E. Glessner/

Supervisory Patent Examiner, Art Unit 3633

Nasvik et al. (5,232,646)



Drawings Not To Scale

Claim Rejections - 35 U.S.C. § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Piazza (4,229,497).

9. Regarding claim 2, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. teaches a wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions (C), a back mounting surface (26), a side interconnection region (48 & 50), a first side (A) adjacent the side interconnection region, a second side (B) adjacent the side interconnection region (48 & 50), and a top and bottom tab region. Nasvik et al. does not teach fiber reinforcement.

10. Piazza teaches fiber reinforcement incorporated into a cementitious material (Col. 4, Lines 60-64).

11. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Piazza's reinforcement, to develop a light and durable panel.

12. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Keller (4,275,540).

13. Regarding claim 4, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. teaches a wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions (C), a back mounting surface (26), a side interconnection region (48 & 50), a first side (A) adjacent the side interconnection

region, a second side (B) adjacent the side interconnection region (48 & 50), and a top and bottom tab region. Nasvik et al. does not teach mirror symmetry.

14. Keller teaches a wall section with mirror symmetry (Fig.1).

15. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Keller's wall section to create a uniform panel.

16. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Horstketter et al. (6,449,914).

17. Regarding claim 11, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. teaches a wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions (C), a back mounting surface (26), a side interconnection region (48 & 50), a first side (A) adjacent the side interconnection region, a second side (B) adjacent the side interconnection region (48 & 50), and a top and bottom tab region. Nasvik et al. does not teach integrated cast-in threaded inserts.

18. Horstketter et al. teaches an embedded threaded insert (Col.11, Lines 34-36).

19. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Horstketter's embedded threaded insert, to create a panel that when attached to a mounting surface, the panel is flush with that mounting surface.

20. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Keller (4,275,540), as applied to claim 4 above, and in further view of Neumann (4,299,069).

21. Regarding claim 5, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. teaches a wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions (C), a back mounting surface (26), a side interconnection region (48 & 50), a first side (A) adjacent the side interconnection region, a second side (B) adjacent the side interconnection region (48 & 50), and a top and bottom tab region. Nasvik et al. does not teach mirror symmetry and a panel comprising twenty sides.
22. Keller teaches a wall section with mirror symmetry (Fig.1).
23. Neumann teaches a panel comprising twenty sides (Fig.1).
24. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Keller's wall section and Neumann's panel to create a uniform multi sided panel.
25. Claims 3, 9, 17, 18, 22-25, and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Sherry (5,787,666).
26. Regarding claims 3 and 9, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. teaches a wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions (C), a back mounting surface (26), a side interconnection region (48 & 50), a first side (A) adjacent the side interconnection region, a second side (B) adjacent the side interconnection region (48 & 50), and a top and bottom tab region. Nasvik et al. does not teach a thickness of about one half inch to about three quarters of an inch, and a size of about two feet by about six feet.

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27. Sherry teaches a panel ranging in thickness from 1 to 2 inches and a size of two feet by four feet (Col. 6, Lines 2-4). The examiner notes that 1 inch is considered about three quarters of an inch. The examiner also notes that although two feet by four feet is not equal to two feet by six feet, it is obvious that a panel can have various scales of the same design.

28. Therefore, It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Sherry's thickness and size in order to create a thin panel to a desired scaled size.

29. Regarding claims 17, 18, 22, 23, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. teaches a first wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions extending around a perimeter of the front surface of the first concrete veneer panel (C), a second wall portion comprising a front surface having a pattern of simulated stone regions, with simulated mortar regions extending around a perimeter of the front surface of the first concrete veneer panel; wherein the pattern of simulated stone regions on the first panel is different from the pattern of simulated stone regions on the second panel; and wherein the two panels have an identical shape comprising two side interconnecting regions which allow the first and second panels to interconnect horizontally; and wherein the first side (A) is adjacent the side interconnection region (48 & 50), a second side (B) is adjacent the side interconnection region (48 & 50), and comprise a top and bottom tab region; and wherein the first and second panel interconnect

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horizontally by rotating the second panel 180 degrees relative to the first panel; and wherein the length of the top and bottom tab is about one quarter of an inch less than the combined length of the first side and second sides adjacent the side interconnection region. Nasvik et al. does not teach non-linear top and bottom surfaces.

30. Sherry teaches a panel with non-linear top and bottom surfaces (Fig. 2).

31. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to modified Nasvik's wall portion with the teachings of Sherry's non-linear top and bottom surfaces in order to further disguise the pattern of joints between panels.

32. Regarding claims 24, 25, and 29, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. teaches a wall portion that is connected horizontally at side-by-side connection regions by rotating the panel 180 degrees relative to the adjacent panel, and wherein the panels can also be connected vertically. A plurality of panels connected horizontally and vertically would thus create a panel system. Nasvik et al. does not teach non-linear top and bottom surfaces.

33. Sherry teaches a panel with non-linear top and bottom surfaces (Fig. 2).

34. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to modified Nasvik's wall portion with the teachings of Sherry's non-linear top and bottom surfaces in order to further disguise the pattern of joints between a plurality panels.

35. Regarding claims 30-32, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. teaches a wall portion that that has at least two different patterns of simulated stones,

wherein the two panel with different patterns have the same shape configured to allow a plurality of panels to interconnect horizontally and vertically; and wherein the panels have a fastening means, comprising sheet rock screws, for attaching to a wall surface (Fig. 7); and wherein the wall portions comprise a colorant (Col. 5, Lines 64-68) for coloring the simulated stones to make the simulated stone appear more realistic. Nasvik et al. does not teach caulk for a caulking location.

36. Sherry teaches filling in the spaces between adjoining panels with an appropriate jointing compound (caulk) (Col. 4, Lines 42-47).

37. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Sherry's jointing compound to mask the area created when a plurality of panels are adjoining in a system of panels.

38. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Sherry (5,787,666) as applied to claims 3, 9, 17, 18, 22-25, and 29-32 above, and in further view of Keller (4,275,540).

39. Regarding claim 19, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. teaches a first wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions extending around a perimeter of the front surface of the first concrete veneer panel (C), a second wall portion comprising a front surface having a pattern of simulated stone regions, with simulated mortar regions extending around a perimeter of the front surface of the first concrete veneer panel; wherein the pattern of simulated stone regions on the first panel is different from the

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pattern of simulated stone regions on the second panel; and wherein the two panels have an identical shape comprising two side interconnecting regions which allow the first and second panels to interconnect horizontally; and wherein the first side (A) adjacent the side interconnection region (48 & 50), a second side (B) adjacent the side interconnection region (48 & 50), and a top and bottom tab region; and wherein the length of the top and bottom tab is about one quarter of an inch less than the combined length of the first side and second sides adjacent the side interconnection region (Fig. 3). Nasvik et al. does not teach non-linear top and bottom surfaces, and mirror symmetry.

40. Sherry teaches a panel with non-linear top and bottom surfaces (Fig. 2).

41. Keller teaches a wall section with mirror symmetry (Fig.1).

42. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Sherry's non-linear top and bottom surfaces and Keller's mirror symmetry, to create a panel, that when placed in a system having a plurality of panels, is uniform and is difficult to the naked eye to follow the panel pattern.

43. Claims 13, 15, 20, 21, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Sherry (5,787,666) as applied to claims 3, 9, 17, 18, 22-25, and 29-32 above, and in further view of Piazza (4,229,497).

44. Regarding claims 13 and 15, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. teaches a wall portion comprising a front surface having a pattern of simulated

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stone regions (24), with simulated mortar regions (C), and a back mounting surface (26). Nasvik et al. does not teach a layer of fiber reinforced concrete, and thickness.

45. Piazza teaches a panel containing fiber reinforcement (Col. 2, Lines 61-62).

46. Sherry teaches a panel ranging in thickness from 1 to 2 inches (Col. 6, Line 2).

The examiner notes that 1 inch is considered about three quarters of an inch.

47. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Piazza's fiber reinforcement and Sherry's thickness to create a thin and strong panel.

48. Regarding claims 20 and 21, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. teaches a first wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions extending around a perimeter of the front surface of the first concrete veneer panel (C), a second wall portion comprising a front surface having a pattern of simulated stone regions, with simulated mortar regions extending around a perimeter of the front surface of the first concrete veneer panel; wherein the pattern of simulated stone regions on the first panel is different from the pattern of simulated stone regions on the second panel; and wherein the two panels have an identical shape comprising two side interconnecting regions which allow the first and second panels to interconnect horizontally. Nasvik et al. does not teach fiber reinforcement, thickness between about $\frac{1}{2}$ inch to about $\frac{3}{4}$ inch, and non-linear top and bottom surfaces.

49. Piazza teaches a panel containing fiber reinforcement (Col. 2, Lines 61-62).

50. Sherry teaches a panel having non-linear top and bottom surfaces (Fig. 2) and a thickness ranging from 1 to 2 inches (Col. 6, Line 2). The examiner notes that 1 inch is considered about three quarters of an inch.

51. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Piazza's fiber reinforcement and Sherry's thickness and non-linear surfaces to create a durable, thin panel that when adjacent another similar panel, the joint is difficult to recognize.

52. Regarding claims 27 and 28, with reference to Fig. 3 and Fig. 4 (Page 2), Nasvik et al. teaches a wall portion that is connected horizontally at side-by-side connection regions by rotating the panel 180 degrees relative to the adjacent panel, and wherein the panels can also be connected vertically. A plurality of panels connected horizontally and vertically would thus create a panel system. Nasvik et al. does not teach fiber reinforcement, thickness between about $\frac{1}{2}$ inch to about $\frac{3}{4}$ inch, and non-linear top and bottom surfaces.

53. Piazza teaches fiber reinforcement incorporated into a cementitious material (Col. 4, Lines 60-64).

54. Sherry teaches a panel having non-linear top and bottom surfaces (Fig. 2) and a thickness ranging from 1 to 2 inches (Col. 6, Line 2). The examiner notes that 1 inch is considered about three quarters of an inch.

55. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of

Piazza's fiber reinforcement and Sherry's thickness and non-linear surfaces to create a durable, thin panel that when adjacent another similar panel, the joint is difficult to recognize.

56. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Sherry (5,787,666), and Piazza (4,229,497), as applied in claims 13, 15, 20, 21, 27, and 28 above, and in further view of Keller (4,275,540).

57. Regarding claim 14, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. teaches a wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions (C), and a back mounting surface (26). Nasvik et al. does not teach a layer of fiber reinforced concrete, thickness, and mirror symmetry.

58. Piazza teaches a panel containing fiber reinforcement (Col. 2, Lines 61-62).

59. Sherry teaches a panel having a thickness ranging from 1 to 2 inches (Col. 6, Line 2). The examiner notes that 1 inch is considered about three quarters of an inch.

60. Keller teaches a wall section with mirror symmetry (Fig.1).

61. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Piazza's fiber reinforcement, Sherry's thickness, and Keller's mirror symmetry to create a durable, thin panel that when adjacent another similar panel, the joints are difficult to recognize.

62. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nasvik et al. (5,232,646), in view of Sherry (5,787,666), and Piazza (4,229,497) as applied in

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claims 13, 15, 20, 21, 27, and 28 above, and in further view, and Horstketter (6,449,914).

63. Regarding claim 16, with reference to Fig. 1 and Fig. 3 (Page 2), Nasvik et al. teaches a wall portion comprising a front surface having a pattern of simulated stone regions (24), with simulated mortar regions (C), and a back mounting surface (26). Nasvik et al. does not teach a layer of fiber reinforced concrete, thickness, and integrated cast-in threaded inserts.

64. Piazza teaches a panel containing fiber reinforcement (Col. 2, Lines 61-62).

65. Sherry teaches a panel having a thickness ranging from 1 to 2 inches (Col. 6, Line 2). The examiner notes that 1 inch is considered about three quarters of an inch.

66. Horstketter et al. teaches an embedded threaded insert (Col.11, Lines 34-36).

67. It would have been obvious to one having ordinary skill in the art, at the time the invention was made to have modified Nasvik's wall portion with the teachings of Piazza's fiber reinforcement, Sherry's thickness, and Horstketter's integrated cast-in threaded inserts to create a durable, thin panel that when attached to a mounting surface, the panel is flush with that mounting surface.